

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CYNTHIA DONALD,	)	
	)	Case No. 20 cv 6815
Plaintiff,	)	
v.	)	Hon. Elaine E. Bucklo
	)	
CITY OF CHICAGO <i>et al.</i> ,	)	Magistrate Judge Jeffrey Cole
	)	
Defendants.	)	

**DEFENDANT CITY OF CHICAGO’S UNOPPOSED  
MOTION FOR LEAVE TO FILE OVERSIZED BRIEF**

Defendant City of Chicago, through the Office of Corporation Counsel of the City of Chicago, moves for leave to file a Memorandum of Law in Support of its Motion for Summary Judgment of 22 pages, and to allow Plaintiff Cynthia Donald to file a Response Brief of the same length, pursuant to Local Rule 7.1. This motion is unopposed.

1. Plaintiff and Chicago Police Officer Cynthia Donald (“Donald”) alleges Defendant and former Police Superintendent Eddie Johnson (“Johnson”) sexually harassed and assaulted her while she was detailed to the Office of the Superintendent between 2016 and 2019. Donald asserted two claims against the City: Count I for sexual harassment under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e *et seq.* (“Title VII”); and Count III for deprivation of due process and equal protection rights pursuant to section 1 of the Civil Rights Act of 1871, as amended, 42 U.S.C. § 1983 (“Section 1983”).

2. The City is prepared to file a motion for summary judgment on Counts I and III of Donald’s Amended Complaint on or before May 29, 2023. *See* Minute Order, CM/ECF # 211. In order to adequately summarize the facts and set forth the legal arguments in support of summary judgment, counsel for the City respectfully requests leave to file a Memorandum of Law in support of the motion of 22 pages in length. The additional pages are reasonably necessary to address the

City and Chicago Police Department policies and procedures on sexual harassment, the circumstances surrounding Donald's detail to the Office of the Superintendent, Donald and Johnson's relationship between 2016 and 2019, the incident of October 16, 2019 which resulted in Donald's detail to a separate office within police headquarters, the circumstances surrounding Donald and Johnson's leaving the Department, Donald's report of Johnson's alleged conduct in 2020, and the four legal arguments supporting summary judgment in favor of the City on both of Donald's claims.

3. Counsel for Donald and Johnson have no objection to this motion.

4. Counsel for Donald also requests leave to file a brief in response to the City's motion of 22 pages in length.

For the foregoing reasons, the City respectfully requests the Court enter an Order;

a. granting the City leave to file a 22-page Memorandum of Law in support of its motion for summary judgment;

b. granting Donald leave to file a 22-page brief in response to the City's motion for summary judgment; and

c. other relief the Court deems appropriate.

Dated: May 23, 2023

Respectfully submitted,

Corporation Counsel of the City of Chicago

By: s/ Mark J. Bereyso

Mark J. Bereyso

Matthew E. Suhl

City of Chicago, Department of Law  
2 North LaSalle Street, Suite 640  
Chicago, Illinois 60602  
(312) 744-6951  
(312) 742-1935  
mark.bereyso@cityofchicago.org  
matthew.suhl@cityofchicago.org

Attorneys for Defendant City of Chicago